

REQUEST FOR INFORMAL NON-BINDING INTERPRETATION  
OF SECTION 514A-107(b) or 514B-98.5(b), HAWAII REVISED STATUTES

Print name(s) of owners who executed owner-  
occupant affidavit(s):

Date(s) owner-occupant affidavit(s)  
executed:

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***(A copy of the executed owner-occupant affidavit(s) must be submitted with this request)***

Name of the residential condominium project and registration number:

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Address of owner-occupant residential condominium unit:

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Contact/Mailing Address if different from the address above:

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As owner-occupants of a residential condominium unit in the subject condominium project, who executed an owner-occupant affidavit, we hereby request that the Hawaii Real Estate Commission consider whether extenuating circumstances exist under §514A-107(b) or 514B-98.5, HRS (as applicable), and whether it affects our ability to comply with the law. We declare that the following extenuating circumstance exists:

- ☐ Serious illness of any owner-occupant who executed the affidavit or any other person who was or has occupied the residential unit. Attached is a written statement signed by the treating U.S. licensed physician and includes statements as follows:

- (a) Attesting that the illness is serious;
- (b) Attesting to the date the serious illness was diagnosed;
- (c) Attesting that the serious illness will likely exist for at least the remainder of the required owner-occupant period; and
- (d) Attesting that person with the serious illness is not able to occupy the condominium unit.

- ☐ Unforeseeable Job or Military Transfer. Attached is an executed document from employer or military orders, which reflect the date of first knowledge of transfer by the owner-occupant who executed the affidavit, date of transfer, address of new job location, and the duration period of transfer.
- ☐ Unforeseeable Change in Marital Status/Change in Parental Status. Attached is an executed document, third party document, government document, or court document that reflects the changes, date of changes, and indication of the date that the owner-occupant who executed the affidavit initially knew of the change.
- ☐ Other unforeseeable occurrence subsequent to execution of the owner-occupant affidavit. Attached is a chronological statement of the unforeseeable occurrence and specific reasons as to how it affects compliance with the law, signed by the owner occupant. In addition, any other executed or government document that substantiates the date of first knowledge by the owner-occupant of the unforeseeable occurrence and the unforeseeable occurrence will last the duration of the owner-occupant period. Any request under this category will be presented to the Commission at its monthly meeting.

I/We have attached documents in support of the above request.

I/We certify that the information provided is true and correct.

\_\_\_\_\_  
Signature of owner who executed owner-occupant affidavit

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of owner who executed owner-occupant affidavit

\_\_\_\_\_  
Date

Note: Should the Commission decide not to take any action on this issue, it will be an informal decision and non-binding. The Commission reserves the right to initiate future action should new information substantiate possible violations.

Submit request to:

Hawaii Real Estate Commission  
Attn: Condominium Specialist  
335 Merchant Street, Room 333  
Honolulu, HI 96813